

REMARKS

Claims 1 and 3-9 are currently pending. By this Amendment, claims 1, 3-5 and 7-9 are amended, and claim 2 canceled without prejudice to, or disclaimer of, the subject matter recited therein. Support for the amendment to claim 1 can be found at least in original claim 2 and Figs. 1 and 2. Claims 3-5 and 7-9 are amended for form and/or dependency. No new matter is added.

Claims 1 and 2 are rejected under 35 U.S.C. §102(b) over Nishijima (U.S. Patent No. 4,681,423); and claims 3-9 are rejected under 35 U.S.C. §103(a) over Nishijima. The rejection of canceled claim 2 is moot, and the rejections of claims 1 and 3-9 is respectfully traversed.

Nishijima does not teach or suggest every claimed feature of independent claim 1. Nishijima does not teach or suggest "a switching unit that switches the control processing that the fixing control unit performs between the first control processing and the second control processing," as recited in independent claim 1.

Nishijima merely relates to a copy machine that starts warming up in response to a key operation and/or in response to an original being set next to an original detecting sensor (see Abstract of Nishijima). Nishijima does not teach or suggest a switching unit that switches the condition of heating of a fixing unit between detection of an original and a copy operation instruction. Therefore, Nishijima does not teach or suggest the switching unit recited in independent claim 1.

Therefore, for at least these reasons, independent claim 1 is patentable over Nishijima. Claims 3-9 depend from independent claim 1. Therefore, claims 3-9 are patentable for at least their dependency on independent claim 1, as well as for the additional features they recite. Applicants thus respectfully request withdrawal of the rejections.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Patrick T. Muffo
Registration No. 60,342

JAO:PTM/lrh

Date: March 31, 2008

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
